GOVERNMENT OF INDIA
MINORITY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2393
ANSWERED ON:30.11.2016
Encroachment of Land of Waqf Board
Patole Shri Nanabhau Falgunrao

Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) whether the Government is aware of the large scale encroachment of land of wakf board in the country and if so, the details thereof, State-wise; and

(b) the total land in acres found encroached upon and the stringent measures taken by the Government till date to remove encroachment and transfer land to the Board?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) IN MINISTRY OF MINORITY AFFAIRS
(SHRI MUKHTAR ABBAS NAQVI)

(a) & (b): According to Section 32(1) of the Waqf Act, 1995, the general superintendence of all Auqaf in a State vests in the State Waqf Board, established by the State/UT Government. It is the duty of the Board to exercise its power under this Act and to ensure that Auqaf under its superintendence are properly maintained, controlled and administered. Hence, the details of encroachment of land of waqf board in the country are not maintained by the Central Government.

The Government of India brought amendments in Waqf Act, 1995 through Waqf Amendment Act, 2013 which came into force w.e.f. 1/11/2013. Major provisions to deal with encroachment issues added in the Waqf Act, 1995 through the amendment inter alia include addition of the definition of Encroacher; mandate to State Governments to appoint Survey Commissioners and complete the survey of Waqf Properties; provisions of rigorous imprisonment for alienation of Waqf Properties without prior approval of the State/UT Waqf Board; provision to prohibit sale, gift, exchange, mortgage or transfer of any movable or immoveable Waqf Property to any other person.

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